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9 **Attorneys for Defendant**
10 **DITECH FINANCIAL LLC**

11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF NEVADA**

13 ROBERT D. DEY and KATHLEEN C. DEY,

14 Plaintiff,

15 v.

16 EXPERIAN INFORMATION SOLUTIONS, INC.;
17 DITECH FINANCIAL, LLC; and TRANS UNION
18 LLC,

19 Defendants.

CASE NO.: 2:18-cv-00502-RFB-CWH
(Consolidated with 2:18-cv-0503-APG-NJK)

**STIPULATION AND ORDER FOR
DISMISSAL OF ACTION WITH
PREJUDICE AS TO DEFENDANT
DITECH FINANCIAL LLC**

20 **TO THE HONORABLE COURT AND TO ALL PARTIES OF RECORD:**

21 **IT IS HEREBY STIPULATED** by and between Plaintiffs ROBERT D. DEY and
22 KATHLEEN C. DEY and Defendant, DITECH FINANCIAL, LLC, by and through their
23 undersigned counsel of record herein, as follows:

24 1. On February 25, 2019, Defendant DITECH FINANCIAL, LLC caused to be filed in
25 this present matter a Notice of Bankruptcy to inform the Court and the parties of Ditech's bankruptcy
26 cases and the automatic stay imposed by section 362 of the Bankruptcy Code. On March 5, 2019, an
27 Amended Notice of Bankruptcy was also filed.

28 2. On September 26, 2019, the Bankruptcy Court entered the Order Confirming Third
Amended Joint Chapter 11 Plan of Ditech Holding Corporation and Its Affiliated Debtors approving
the terms of the Third Amended Joint Chapter 11 Plan of Ditech Holding Corporation and Its
Affiliated Debtors.

3. The Plan contains a permanent injunction that specifically prohibits parties from,

1 among other things, taking actions inconsistent with the Plan, including, as relevant here, forever
2 prosecuting any action against Ditech for monetary recovery on account of any claim arising prior to
3 the closing of the transactions under the Plan—September 30, 2019.

4 4. Therefore, the above-captioned action including all claims and all causes of action
5 therein be and hereby is dismissed with prejudice as to Defendant, DITECH FINANCIAL, LLC
6 pursuant to Federal Rules of Civil Procedure, Rule 41.

7 **IT IS SO STIPULATED**

8 DATED: December 10, 2019

KNEPPER & CLARK, LLC

9
10 By: /s/Miles N. Clark

MATTHEW I. KNEPPER, ESQ.

MILES N. CLARK, ESQ.

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Las Vegas, Nevada 89148 Attorneys for
Plaintiffs

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13
14 DATED: December 10, 2019

WOLFE & WYMAN LLP

15 By: /s/Andrew A. Bao

16 ANDREW A. BAO, ESQ.

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Attorneys for Defendant

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28 **DITECH FINANCIAL LLC**

ORDER

For good cause, the Court hereby grants the parties' stipulation to dismiss Defendant DITECH FINANCIAL LLC with prejudice from Plaintiffs' Complaint. Each party shall bear their own fees and costs.

IT IS SO ORDERED.

DATED this 11th day of December, 2019.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF MAILING

On December 10, 2019, I served the foregoing **STIPULATION AND ORDER FOR DISMISSAL OF ACTION WITH PREJUDICE AS TO DEFENDANT DITECH FINANCIAL LLC**, by the following means to the persons as listed below:

☒ a. EFC System (you must attach the “Notice of Electronic Filing,” or list all persons and addresses and attach additional paper if necessary):

☐ b. United States Mail, postage fully pre-paid (List persons and addresses. Attach additional paper if necessary):

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